

(9-2004)

- (d) Electric transmission lines of 60,000 volts phase-to-phase and above, except when transmission lines are within a 12 kv conversion district.
- (e) Radio antennae, associated equipment and supporting structures for such antennae, used by a Utility Company for furnishing communication services.
- (f) Pad mounted transformers, junction boxes, and service terminals on pedestals aboveground used to distribute electrical, communication and community antenna television or similar or associated service, in the underground systems.
- (g) Temporary poles, overhead wires and associated overhead structures located on private property, used solely during the course of construction on that private property.
- (h) Overhead wires to provide temporary or emergency service installed subject to the provisions of Section 61.0510 of this Code.
- (i) New or existing pole-to-anchor guy wires within the District necessary to support overhead facilities outside the boundary of the District or poles within the District which have been specifically excepted in the resolution creating the District.
- (j) Poles, supports, wires and associated overhead structures necessary for the operation of electrically driven mass transit systems.  
(Amended 1-14-2002 by O-19032 N.S.)  
(Amended 9-20-2004 by O-19318 N.S.)

**§61.0506 Public Hearing by Council**

By appropriate resolution the Council may from time to time call public hearings to ascertain whether the public health, safety or general welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service. Each hearing shall be open to the public and may be continued from time to time. At each hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

(“Public Hearing by Council” added 9-5-1968 by O-9872 N.S.)

**§61.0507 Notice**

- (a) The City Clerk shall notify all affected persons and each *Utility Company* concerned of the time and place of the hearings at least fifteen days prior to the date thereof.
- (b) Notices given under Section 61.0507 may be given either by personal service or by mail. In case of service by mail, each notice must be deposited in the United States mail in a sealed envelope with postage prepaid. Each notice to an owner of real property in *District*, or proposed *District*, shall be addressed as such owner's name appears, and at the address listed for such owner, on the last equalized assessment roll of the County of San Diego. Each notice to an occupant of real property in *District*, or proposed *District*, shall be addressed to occupant at the street address or addresses located on the real property. Notice given by mail shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof.
- (c) The City Clerk shall cause the resolution calling a public hearing as set forth in Section 61.0506 of this Code to be published in a newspaper of general circulation as defined in Section 6000 of the California Government Code. Publication of the resolution shall be for one time, not less than five days prior to the date of the public hearing stated in said resolution.

(Amended 1-14-2002 by O-19032 N.S.)

**§61.0508 Council May Designate Underground Utility Districts by Resolution**

- (a) If, after the public hearing, the Council finds that the public health, safety or general welfare requires removal of *Poles, Overhead Wires, and Associated Overhead Structures* and underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within a designated area, the Council shall by resolution declare the designated area an *Underground Utility District* and order the removal and underground installation. Immediately following its adoption, the City Clerk shall cause a certified copy of the resolution to be recorded in the office of the County Recorder. The resolution shall include a description and map of the area comprising the *District*.
- (b) To facilitate the City Council's long term planning of *Underground Utility Districts*, each *Utility Company* within the City with *Overhead Poles, Wires, and Associated Overhead Structures* shall provide the City Manager with a complete list of the locations of all of its overhead facilities within the City. The list shall be updated annually not later than January 31 of each year, and